

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**August 24, 1999**

<b>IN RE:</b>	)	
	)	
<b>PETITION OF GTE COMMUNICATIONS</b>	)	<b>DOCKET NO. 99-00385</b>
<b>CORPORATION FOR APPROVAL OF AN</b>	)	
<b>INTRALATA TOLL DIALING PARITY PLAN</b>	)	

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**ORDER APPROVING THE INTRALATA TOLL DIALING PARITY  
IMPLEMENTATION PLAN**

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This matter came before the Tennessee Regulatory Authority (the "Authority") on July 13, 1999, at a regularly scheduled Authority Conference, to consider the Petition of GTE Communications Corporation ("GTE") for approval of an IntraLATA Toll Dialing Parity Implementation Plan ("the Plan").

Section 251(b) of the Telecommunications Act of 1996 ("the Act") requires all Local Exchange Carriers to provide dialing parity.<sup>1</sup> Specifically, section 251 (b)(3) of the Act states, "Dialing Parity - The duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing, with no unreasonable dialing delays." The Act further states in sections 251(f)(1) and 251(f)(2) that a rural telephone company may file with the state commission for exemption, suspension or modification of the dialing parity requirements.

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<sup>1</sup> Telecommunications Act of 1996, Pub. L. No. 104-104, (February 8, 1996), codified at 47 U.S.C. §§151 *et seq.*

**FILE**

The Federal Communications Commission ("FCC") initiated a rulemaking on dialing parity on April 19, 1996 and issued its findings in FCC 96-333 Order (Docket 96-98) adopted on August 8, 1996. This Order sets forth the criteria and guidelines for filing of a plan by all carriers. Subsequent to this Order the United States Court of Appeals for the Eighth Circuit vacated the FCC's rules, as they were applicable to intrastate services.<sup>2</sup> On January 25, 1999, the United States Supreme Court reversed certain portions of the Eighth Circuit's decision including that part of the decision which had stricken the FCC's rules pertaining to dialing parity.<sup>3</sup>

The FCC's original date for implementation, February 8, 1999, was reinstated by the Supreme Court's decision of January 25, 1999. As a result of this reinstatement, the FCC released FCC 99-54 Order (Docket 96-98) on March 23, 1999, which set forth revised implementation dates for dialing parity. This Order establishes April 22, 1999 as the new date by which all Local Exchange Carriers must file an IntraLATA Toll Dialing Parity Plan with State Commissions for approval. The Plan must be implemented within thirty (30) days after approval from the State Commission. Additionally, the Order states that the Plan must be filed with the Common Carrier Bureau of the FCC if the State Commission has not acted on the Plan by June 22, 1999.

GTE is a telecommunications company operating under Tenn. Code Ann. § 65-4-201 as competitive local exchange carrier that provides telecommunications services in Tennessee. Pursuant to 47 C.F.R. § 51.213, GTE is required to file a plan with the Authority that provides for implementing intraLATA toll dialing parity in the exchanges in Tennessee where service is

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<sup>2</sup> FCC v. Iowa Utils. Bd., United States Court of Appeals for the Eighth Circuit, July 18, 1997.

<sup>3</sup> AT&T v. Iowa Utils. Bd., 119 S.Ct. 721 (1999).

provided.<sup>4</sup> This plan must allow customers to pre-subscribe to different carriers for local service, intraLATA toll service and interLATA toll service.<sup>5</sup>

GTE Communications Corporation filed an intraLATA toll dialing parity plan on June 1, 1999 and amendments on July 1, 1999 and July 7, 1999. The Plan as amended is attached hereto as Attachment I and II, which is fully incorporated herein by this reference.

The Directors considered this plan at the July 13, 1999 Authority Conference and determined that the Plan, as amended, satisfies the requirements set forth by the FCC in Docket 96-98, FCC Order 96-333 and FCC Order 99-54.<sup>6</sup> The Plan provides a method that enables customers to select alternate providers of telephone toll service; a method that allows customers to choose different carriers for interLATA and intraLATA service; customer notification/education procedures; and anti-slamming procedures. The Directors unanimously voted to approve the amended intraLATA toll dialing parity implementation plan of GTE with the requirement that the GTE comply with all applicable sections of FCC Order 96-333 upon implementation of intraLATA equal access.

#### **IT IS THEREFORE ORDERED THAT:**

1. The amended Plan of GTE Communications Corporation for IntraLATA Toll Dialing Parity Implementation, a copy of which are attached as Attachment I and II, is hereby approved and incorporated in this Order as if fully rewritten herein;

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<sup>4</sup> Under 47 C.F.R. §51.213, the Federal Communication Commission requires that an IntraLATA toll dialing parity plan contain: (1) a proposal that explains how the local exchange carrier will offer intraLATA toll dialing parity for each exchange that such carrier operates in the state, in accordance with the provisions of this section, and a proposed time schedule for implementation; and (2) a proposal for timely notification to its subscribers and the methods it proposes to use to enable each subscriber to affirmatively select an intraLATA toll service provider. The state commission must approve any such plan prior to implementation.

<sup>5</sup> Pre-subscription allows the customer to place a call without dialing an access code.

<sup>6</sup> FCC Order 96-333, released August 8, 1996, sets forth the requirements for implementation of IntraLATA Toll Dialing Parity. FCC Order 99-54, released March 23, 1999, extends to June 22, 1999 the deadline for state commissions to act on a LEC's IntraLATA Toll Dialing Parity Plan.

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GTE Communications  
Corporation

June 30, 1999

TN REGULATORY AUTHORITY  
TELECOMMUNICATIONS DIVISION

6665 North MacArthur Blvd.  
Irving, TX 75039-2443

Mr. K. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

VIA FEDERAL EXPRESS

Re: GTE Communications Corporation  
Amended IntraLATA Toll Dialing Parity Plan

99-00385

Dear Mr. Waddell,

As requested by Mr. Carsie Mundy, I am enclosing an original and thirteen copies of GTE Communications Corporation Amended IntraLATA Toll Dialing Parity Plan for approval by the Tennessee Regulatory Authority.

Please be advised that GTE Communications is a pure reseller and, as such, is only able to offer intraLATA toll dialing parity as the underlying ILEC allows it.

Please address all future requests to my attention at 6665 North MacArthur Boulevard, Mail Code HK02D84, Irving, Texas 75039. Do not hesitate to contact me at (972) 465-4424 or by fax at 972-465-5047 should you have any questions or require additional information.

I apologize for the delay in filing GTE Communications' Amended Plan and hope it has not caused the Commission undue inconvenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Heise de Barros", written over a horizontal line.

Patricia Heise de Barros  
Manager - Regulatory Client Support

Enclosures.

**Amended  
IntraLATA Toll  
Dialing Parity  
Plan**

**GTE Communications  
Corporation**

**June 30, 1999**

# GTE COMMUNICATIONS CORPORATION

## AMENDED INTRALATA TOLL DIALING PARITY PLAN

### 1. Introduction

GTE Communications Corporation ("GTECC") hereby files its IntraLATA Toll Dialing Parity Plan (the "Plan") in accordance with the Federal Communications Commission Order released on March 23, 1999, in Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Petition of Southwestern Bell Telephone Company, Pacific Bell, and Nevada Bell for Expedited Declaratory Ruling on Interstate IntraLATA Toll Dialing Parity or, in the alternative, various other Relief, CC Docket No. 96-098. This Plan sets forth GTECC's proposal for providing intraLATA toll dialing parity within the state of Tennessee for customers subscribing to GTECC services.

### 2. Methodology

GTECC will provide full intraLATA toll and interLATA (two PICs) dialing parity, allowing GTECC customers to presubscribe to one carrier for all inter LATA calls and to the same or another carrier for all intraLATA toll calls. One interLATA interexchange carrier and one intraLATA interexchange carrier may be selected for each trunk.

### 3. Availability

Because GTECC is a reseller of local exchange services throughout the state of Tennessee, GTECC will offer intraLATA toll dialing parity in all exchanges where its underlying incumbent local exchange company offers intraLATA toll dialing parity. Currently GTECC has subscribers in BellSouth franchise areas only (see Exhibit A for BellSouth Exchanges).

### 4. Proposed Implementation Schedule

GTECC will implement dialing parity no later than thirty days after the date this Plan is approved, wherever intraLATA toll dialing parity is made available by the ILEC from whom GTECC purchases local exchange services for resale.

## 5. Subscriber Practices

Within thirty days' of receipt of notice from local exchange carriers of availability of intraLATA toll dialing parity, GTECC will provide notice to its subscribers of the forthcoming availability of intraLATA toll dialing parity by means of a one-time mailing, a sample of which is attached as Exhibit B. Following is the scheduled notice dates for the respective ILEC territories:

<u>LEC</u>	<u>Scheduled Date of GTECC Notice to Its Subscribers</u>
BellSouth Territory	--- 1, 1999

Because GTECC is a reseller, it will not receive an Access Service Request ("ASR") directly; GTECC will receive notice of availability of intraLATA toll dialing parity from the underlying ILEC provider.

Currently, GTECC is the intraLATA toll provider for its existing customers. Customers will remain with GTECC until they affirmatively choose an intraLATA toll carrier. Customers may make this selection through their own initiative. Customers may communicate their choice of carriers directly to GTECC, as their local exchange carrier, through the Customer Service Center or indirectly through their selected carriers.

GTECC will inform new GTECC local service customers of the dialing parity feature and, upon request, will read to customers a random selection of carriers available to them in their geographic area. If the new customer does not indicate a preference for an alternate carrier, no intraLATA toll carrier will be assigned and the customer will have to dial an access code to make intraLATA toll calls until such time as the customer chooses a particular carrier.

GTECC will utilize competitively neutral business office practices when an existing GTECC customer contacts GTECC to request information on dialing parity or to change to an alternate intraLATA toll carrier. Unless an existing GTECC subscriber requests a change to their presubscribed intraLATA toll carrier, any intraLATA toll traffic will continue to be presubscribed to GTECC.

GTECC will accept customer initiated or carrier initiated requests for alternate intraLATA toll carriers on the date of implementation. If all necessary access facilities of the underlying ILEC already exist, the presubscribed intraLATA toll carrier selection will be processed within ten business days. Should the installation by the underlying ILEC of new access facilities be required, the intraLATA toll carrier selection will be completed within ten business days of the ILEC's new facilities being fully provisioned and operational.

Customers will be assessed a PIC change charge per GTECC's tariff for changing their intraLATA carrier. When customers request a change in their interLATA and intraLATA carriers during one contact with Customer Service and choose the same carrier for both jurisdictions, only one charge will be assessed. When customers request a change in their

interLATA and intraLATA carriers during one contact with Customer Service and choose different carriers for each jurisdiction, two charges will be assessed.

For a waiver period from the date of approval of this Plan through September 30, 1999, customers will not be assessed an intraLATA PIC change charge for their initial intraLATA toll carrier choice.

#### 6. Carrier Practices

Any interexchange carrier that wishes to be listed as a provider of intraLATA toll service at the time of dialing parity implementation shall notify GTECC no later than thirty days prior to dialing parity availability. Interexchange carriers that wish to offer intraLATA toll service to GTECC local customers must establish direct interconnection of its network with the network of the underlying ILEC whose local exchange services GTECC resells.

#### 7. Non-discriminatory Access to Telephone Numbers, Operator Services, Directory Assistance and Directory Listings

Customers will continue to have non-discriminatory access to telephone numbers and directory listings through GTECC as their local exchange carrier. Access to Operator Services and Directory Assistance will continue to be available through the customer's local exchange carrier or interLATA carrier. No industry standard has been established for access to Operator Services and Directory Assistance unique to the intraLATA carrier. For Operator Services, customer dials "0" to reach their local exchange operator and "00" to reach their interLATA operator. For Directory Assistance, customers dial "1-411" to access the local exchange Directory Assistance and "1-NPA-555-1212" to access their interLATA carrier's Directory Assistance.

The local and interLATA Operator Services and Directory Assistance may be branded by the local and interLATA carriers, as appropriate, based on the dialing pattern of the end user. Since no unique intraLATA dialing pattern currently exists in the industry, GTECC is not capable of identifying intraLATA calls to GTECC's local or the IXC's interLATA operators or directory assistance representatives. As such, this procedure is considered in compliance with FCC Order No. 96-333, Rule 51-217(d).

#### 8. Cost Recovery

GTECC has chosen not to recover the incremental costs necessary for the implementation of toll dialing parity.

#### 9. Anti-Slamming Procedures

GTECC has very high ethical standards and guidelines and does not condone any unauthorized changes in a customer's service by its own employees, its contracted



vendors or their employees. GTECC verifies a customer's request to change their preferred carrier to GTECC by asking the customer to sign a Letter of Agency or using a qualified third party verifier to obtain the subscriber's oral authorization prior to submitting a preferred carrier change.

Customers may call GTECC via a toll free number, 24 hours a day, 7 days a week, with any questions or complaints or to report a potential slam.

#### 10. Compliance with FCC and TRA Rules

GTECC will comply with all rules of the Federal Communications Commission and the Tennessee Regulatory Authority.

**GTECC COMMUNICATIONS CORPORATION**  
**IntraLATA Toll Dialing Parity**

**EXCHANGES**

**All BellSouth exchanges in Tennessee**

SAMPLE NOTICE

Date

Dear Customer,

In accordance with the FCC Order issued under CC Docket No. 96-98 of March 23, 1999, mandating that all local telephone companies open their markets to competition, customers may now select who carries their intraLATA (referred to as local toll or local long distance) calls.

Due to the nature of the GTE Communications bundled service offering, we do not expect this will affect you. However, GTE Communications does offer stand-alone local services. If you wish to subscribe to an intraLATA toll carrier other than GTE Communications, please contact our Customer Service Representative at 1-888-483-4504 on or after [ insert implementation date ] for terms and conditions. You should also contact the intraLATA toll carrier you have chosen to ensure your account is properly established.

Thank you for choosing GTE Communications as your full service telecommunications provider. If you have any questions, please contact our Customer Service at 1-888-483-4504.

Sincerely,

GTE Communications Corporation

July 1, 1999


**GTE Communications  
Corporation**

 6665 North MacArthur Blvd.  
Irving, TX 75039-2443

 Mr. K. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

 REC'D TN  
REGULATORY AUTH.

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 OFFICE OF THE  
EXECUTIVE SECRETARY

VIA FEDERAL EXPRESS

 Re: GTE Communications Corporation  
Amended IntraLATA Toll Dialing Parity Plan - Revised Pages 3 and 7

Dear Mr. Waddell,

As requested by Mr. Carsie Mundy, I am enclosing an original and thirteen copies of Revised Pages 3 and 7 of the GTE Communications Corporation Amended IntraLATA Toll Dialing Parity Plan for approval by the Tennessee Regulatory Authority.

Please address all future requests to my attention at 6665 North MacArthur Boulevard, Mail Code HK02D84, Irving, Texas 75039. Do not hesitate to contact me at (972) 465-4424 or by fax at 972-465-5047 should you have any questions or require additional information.

Sincerely,

 Patricia Heise de Barros  
Manager - Regulatory Client Support

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Enclosures.

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TELECOMMUNICATIONS DIVISION

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<u>LEC</u>	<u>Scheduled Date of GTECC Notice to Its Subscribers</u>
BellSouth Territory	September 1, 1999

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